

FORM PTO-1390 (Rev 5-93) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>NITROS P146US</b>		
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. <b>09/673871</b> (37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO. <b>PCT/CH99/00163</b>	INTERNATIONAL FILING DATE <b>April 22, 1999</b>	PRIORITY DATE CLAIMED <b>April 22, 1998</b>		
TITLE OF INVENTION <b>SOLUTION FOR DIAGNOSING OR TREATING TISSUE PATHOLOGIES</b>				
APPLICANT(S) FOR DO/EO/US <b>Al xandre MARTI, Norbert LANGE, Matthieu ZELLWEGE, Georges WAGNIERES, Hubert VAN DEN BERGH, Patrice JICHLINSKI and Pavel KUCERA</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. (PCT/IB/308 mailed October 28, 1999)</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)) is attached.</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. to 16. below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO FORM 1449.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information:             <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Preliminary Examination Report  <input type="checkbox"/> Annexes to Pre. Ex. Rep.  <input checked="" type="checkbox"/> International Search Report  <input type="checkbox"/> French Novelty Search Report  <input type="checkbox"/> ___ copies of citations  <input checked="" type="checkbox"/> Form PCT/IB/308  <input checked="" type="checkbox"/> International Publ. No. WO 99/53962 (Face page only)               </td> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Copy of Request  <input type="checkbox"/> ___ sheets of formal drawings  <input checked="" type="checkbox"/> Abstract  <input checked="" type="checkbox"/> Verified Statement Claiming Small Entity Status  <input type="checkbox"/> Copy of Notification of File Missing Parts  <input type="checkbox"/> French Language Specification               </td> </tr> </table> </li> </ol>			<input checked="" type="checkbox"/> Preliminary Examination Report <input type="checkbox"/> Annexes to Pre. Ex. Rep. <input checked="" type="checkbox"/> International Search Report <input type="checkbox"/> French Novelty Search Report <input type="checkbox"/> ___ copies of citations <input checked="" type="checkbox"/> Form PCT/IB/308 <input checked="" type="checkbox"/> International Publ. 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<b>CERTIFICATION UNDER 37 CFR 1.10</b>  I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date <b>October 20, 2000</b> in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number <b>EL469353992US</b> addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-bottom: 1px solid black; text-align: center;"> <b>Michael J. Bujold, Esq.</b>          (typed or printed name of person mailing paper)       </td> <td style="width: 50%; border-bottom: 1px solid black; text-align: center;">           (signature of person mailing paper)       </td> </tr> </table>			<b>Michael J. Bujold, Esq.</b> (typed or printed name of person mailing paper)	 (signature of person mailing paper)
<b>Michael J. Bujold, Esq.</b> (typed or printed name of person mailing paper)	 (signature of person mailing paper)			

17. ■ The following fees are submitted

532 Rec'd P

REGULATIONS

20 OCT 2000

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)). ..... \$710.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1000.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

860

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

Claims	Number Filed	Number Extra	Rate
Total Claims	9-20 =	0	x \$18.00
Independent Claims	1-3 =	0	x \$80.00
Multiple dependent claim(s) (if applicable)			+ \$270.00

0

0

0

TOTAL OF ABOVE CALCULATIONS =

860

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

430

SUBTOTAL =

430

Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

0

TOTAL FEES ENCLOSED =

430

Amount to be:  
refunded

\$

charged

\$

a. ■ A check in the amount of \$ 430.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 04-0213 in the amount of \$        to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0213. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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